

## **MINUTES OF ORGANIZATION MEETING HELD JANUARY 2, 2014**

Minutes of Organization Meeting of the Council of the Town of Westfield held January 2, 2014 in Council Chambers at 7:00 p.m.

The Town Clerk read the call as follows:

Welcome to this Special Meeting of the Westfield Town Council for the purpose of organizing for the year 2014 on January 2, 2014, at 7:00 p.m. in the Council Chambers of the Municipal Building and transacting such other business as may properly come before the meeting.

Notice of the meeting was advertised in the December 26, 2013 edition of the Westfield Leader, sent to the Star Ledger and posted on the bulletin board and filed in accordance with the Open Public Meetings Act.

Invocation was given by Rabbi Douglas Sagal, Temple Emanu-El.

Salute to the flag.

### **Swearing in of Mayor and Council Members**

Re-elected Mayor Skibitsky was sworn in by The Honorable Grace Park, Union County Acting Prosecutor, filed his oath of office as required by law and took his seat with the Council.

Re-elected Councilman Della Fera was sworn in by The Honorable Mark Ciarrocca, JSC, filed his oath of office as required by law and took his seat with the Council.

Re-elected Councilwoman Kimmins was sworn in by The Honorable Jon Bramnick, Assemblyman, 21<sup>st</sup> District, filed her oath as required by law and took her seat with the Council.

Re-elected Councilman Loughlin was sworn in by The Honorable Jon Bramnick, Assemblyman, 21<sup>st</sup> District, filed his oath of office as required by law and took his seat with the Council.

Newly elected Councilman Oliveira was sworn in by The Honorable Mark Ciarrocca, JSC, filed his oath of office as required by law and took his seat with the Council.

The Meeting Called to Order at 7:15 p.m. by Mayor Skibitsky.

**Present:** Mayor Skibitsky, Council Members Arena, Neylan, LoGripipo, Foerst,

Della Fera, Kimmins, Oliveira, Loughlin

**Absent:**

Mayor Skibitsky proposed the following Acting and Alternate Acting Mayor appointments for year 2014. Motion made by Mayor Skibitsky, seconded by Councilman Arena, was unanimously confirmed by Council.

***Acting Mayor** – JoAnn Neylan*

***Alternate Acting Mayor** – James Foerst*

The Mayor proposed the following Council appointments. Motion made by Mayor Skibitsky, seconded by Councilwoman Neylan was carried.

***Planning Board Liaison**      James Foerst      December 31, 2014*

***Board of Adjustment***

*William Heinbokel      December 31, 2017*

*Andrew Wasserman      December 31, 2017*

*Joe Loftus, Alt. #2      December 31, 2015*

***Special Improvement District Board***

*Frank D. Isoldi, Merchant      December 31, 2016*

*Shawn Hanna, Resident      December 31, 2016*

*Sam Della Fera - Council Designee      December 31, 2014*

*Stephanie Walsh - Mayor Designee      December 31, 2014*

*James Gildea - Ex Officio      December 31, 2014*

The Mayor proposed the following appointments. Motion made by Mayor Skibitsky, seconded by Councilman LoGrippo the said appointments were carried.

***Municipal Prosecutor**      Anthony Prieto      December 31, 2014*

***Public Defender**      Gavin Handwerker      December 31, 2014*

***Official Newspapers**      The Westfield Leader      December 31, 2014*

*The Star Ledger      December 31, 2014*

The Mayor proposed the following Board appointments. Motion made by Mayor Skibitsky, seconded by Councilman Arena was carried.

***Board of Health***

*Tricia Lerner      December 31, 2017*

*Sherl Brand (to fill unexpired term)      December 31, 2014*

*Maria LoGrippo, Alt. #1      December 31, 2015*

*Joshua Suri, Alt. #2 (to fill unexpired term)* *December 31, 2014*

**Council Liaison:**

*David Oliveira* *December 31, 2014*

**Recreation Commission**

*Peter Echausse-Chair* *December 31, 2016*

*Larry McDermott* *December 31, 2016*

*Kevin Neylan* *December 31, 2016*

*Gary Fox* *December 31, 2016*

*Jennifer Czarneki, Alt. #1* *December 31, 2016*

*Beth Dencker, Alt. #2* *December 31, 2016*

**Council Liaison:**

*Frank Arena* *December 31, 2014*

**Historic Preservation Commission**

*Mark McCabe (to fill unexpired term)* *December 31, 2014*

*Robert Algaran, Alt. #2 (to fill unexpired term)* *December 31, 2015*

**Council Liaison:**

*Vicki Kimmins* *December 31, 2014*

**Board of Architectural Review**

*Robert Benacchio* *December 31, 2016*

*Fernando Martinez (to fill unexpired term)* *December 31, 2015*

**Tree Preservation Commission**

*Mike Schuman* *December 31, 2016*

*Brian Daly* *December 31, 2016*

**Council Liaison:**

*San Della Fera* *December 31, 2014*

**Memorial Library Board**

*Janice Sampson (to fill unexpired term)* *December 31, 2017*

*Robert Centrella (to fill unexpired term)* *December 31, 2017*

*Terry Quinn* *December 31, 2018*

**Council Liaison:**

*Vicki Kimmins* *December 31, 2014*

**Communications Advisory Board**

*Dierdre Malacrea* *December 31, 2016*

*Ed Stellingwerf* *December 31, 2016*

**Westfield Housing Commission**

*John Desena, ex-officio* *December 31, 2014*

*Joseph Farella, ex-officio* *December 31, 2014*

*Catherine Clifford* *December 31, 2014*

*Ronald Bansky* *December 31, 2014*

Mayor Skibitsky announced the following Mayoral appointments:

***Planning Board***

<i>Vince Wilt</i>	<i>December 31, 2017</i>
<i>Pam Wiaczek</i>	<i>December 31, 2017</i>
<i>Michael Fisher, Alt. #1</i>	<i>December 31, 2015</i>
<i>Ethan Kramer, Alt. #2</i>	<i>December 31, 2014</i>
<b><i>Mayor's Designee:</i></b>	
<i>Ken Donnelly</i>	<i>December 31, 2014</i>
<i>Kris McAloon, Class II</i>	<i>December 31, 2014</i>

***Community Development Revenue Sharing Committee***

<i>John Desena</i>	<i>December 31, 2014</i>
<i>Kris McAloon</i>	<i>December 31, 2014</i>

***Insurance Advisory Board***

<i>Ronald Banský</i>	<i>December 31, 2016</i>
<i>Joseph Dazzo</i>	<i>December 31, 2016</i>

***Solid Waste Advisory Board***

<i>Vincent Spera</i>	<i>December 31, 2014</i>
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***Union County Transportation Advisory Board***

<i>John Morgan – Delegate</i>	<i>December 31, 2014</i>
<i>George Lanzano, Alternate</i>	<i>December 31, 2014</i>

***Air Traffic Advisory Board***

<i>Jerome Feder</i>	<i>December 31, 2014</i>
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***Chamber of Commerce Liaison – Councilwoman JoAnn Neylan***

***Union County League of Municipalities – Mayor Andrew Skibitsky***

***Board of Education Liaison – Councilman Sam Della Fera***

***2nd Senior Citizens Housing Corporation Liaison – Mayor Andrew Skibitsky***

***Municipal Alliance/PANDA Liaison – Councilwoman JoAnn Neylan***

Mayor Skibitsky announced the following Council Committees:

***Finance Policy Committee***

***Sam Della Fera, Chairman***  
***David Oliveira, Vice-Chairman***  
***JoAnn Neylan***  
***Frank Arena***

***Public Safety, Transportation, & Parking Committee******JoAnn Neylan, Chairman******Keith Loughlin, Vice-Chairman******Jim Foerst******Mark LoGrip******Code Review & Town Property Committee******James Foerst, Chairman******Mark LoGrip, Vice-Chairman******San Della Fera******Vicki Kimmins******Public Works Committee******Frank Arena, Chairman******Vicki Kimmins, Vice-Chairman******Keith Loughlin******David Oliveira*****Mayor Skibitsky gave the following State of the Town Address:**

Good evening and welcome to the annual organization meeting of the Westfield Town council. It's good to see all the residents, our families and friends, former council members, volunteers and employees who are here tonight. Thank you all for coming tonight, especially in view of the weather situation, and a special thank you to Rabbi Sagal for delivering the Invocation.

It is always important to recognize that Westfield's form of government is indeed unique. Unlike most municipalities, the Town Council and I serve essentially as "volunteers", receiving a symbolic paycheck of \$1 per year that, in accordance with long-standing tradition, does not get cashed. The Town Council and I receive no other monetary compensation, no expense budget, and no benefits. It is my understanding that Westfield is the largest municipality in the state that seats an unpaid governing body. Of course, we are well compensated in another, more important way - by having the distinct honor of serving the people of this great Town.

And so, to the members of the 2013 Town Council, I would like to thank you for your time, your talents, and for all your efforts on behalf of your respective Wards.

To Councilwoman Kimmins, Councilman Loughlin, and Councilman Della Fera, congratulations on your re-election. Your willingness to serve another 4 years is a tribute to your selfless commitment to the community, and I am proud to serve with you.

To our newest Council member, Councilman David Oliveira, welcome aboard. I trust you will find the next four years enriching, exhausting, and immensely rewarding. I look forward to working with you.

On a more personal note, I want to thank all the voters who participated in the November general election. I am deeply humbled and honored to have the opportunity to continue to serve all the residents of this great Town.

To the families of all the Town Council members – I know that you sacrifice family time with your loved ones when they are busy tending to the Town's business, so thank you for your support and for your community spirit as well.

To my ever-patient and supportive wife, Debbie, and our children - Drew, Hope, Shane and Troy – and our nephew, Chase, thank you for your love and continued encouragement. And special thanks to my mother-in-law, Lois Swiderski – MOM, thank you for your support. I never forget to count my blessings every day.

Earlier in this meeting, many citizens were appointed to serve as volunteers on the various boards and commissions of the Town. Let me express my deepest

appreciation to all of you who have agreed to dedicate your time and talents to serve your fellow residents.

And to all those volunteers who just completed their terms, thank you for your service.

You may have heard me say this before, but it bears repeating - volunteerism, altruism and community spirit are clearly in Westfield's "DNA".

To the department heads, thank you for your leadership and professionalism. Over the years, working with each of you under a myriad of difficult circumstances - from the challenges presented by the "Great Recession" to the aftermath of hurricanes - I have witnessed first hand your commitment to your work and, most importantly, to the people of this Town. You represent and advocate for your respective departments with great dedication, skill, and determination and I want you to know that your efforts are recognized and appreciated.

Finally, to each and every resident of Westfield, thank you for your individual contribution to making Westfield the truly unique and remarkable place that it is.

And now, as Mayor, I am honored to report on the State of the Town.

If I had to describe the State of the Town in just one word, I would describe it as "strong" - strong as in resilient, strong as in enduring, strong as in robust.

The Town of Westfield was certainly not immune to the serious and substantial effects of the great recession and global economic crisis that reared its ugly head as 2007 came to a close. Time does not allow me to recap all the challenges presented

by the adverse economic conditions since then. Suffice to say that non-property tax revenues declined significantly to the extent they could no longer be addressed by cuts on the expenditure side of the budget alone. All New Jersey towns experienced these conditions, prompting economists, taxpayers, the business community, government professionals, and elected officials at all levels and on both sides of the aisle to warn that service cuts are inevitable. For example, in a 2012 report entitled “Facing Our Future”, presented by a non-partisan group of volunteers in the areas of government, law, politics, the foundation community, business, and academia, the following conclusion was drawn:

I quote: “Together, we face the future of limited future financial resources with which to support local government services; in short, we all face a future in which municipalities will be unable to maintain current services..... we estimate that as much as 20 percent of current municipal services may need to be eliminated or transformed.” End of quote.

With such a dire prognosis regarding the future of services provided by municipalities across the State, I am proud to say that we are Westfield Strong. As you may know, my efforts have been and will continue to be focused on finding ways to bring spending down to more sustainable levels for the long-term while, at the same time, keeping Westfield the most desirable place to live, work and visit. And please remember, while the Westfield Town government is charged with the responsibility of collecting property taxes, the Town does not keep, nor does it have control over, everything it collects. In fact, it keeps slightly less than 17% of the property taxes it collects to pay for municipal operations.

Because of our insistent but responsible efforts to control costs and our unrelenting efforts to seek non-property tax revenue enhancements, services in Westfield have



NOT been cut. In fact, even during this challenging era, we have been able to enhance services, such as in the areas of communications, online services, senior transportation, and recycling opportunities. And we have worked to provide additional conveniences to our residents, such as more payment options at pay stations, additional commuter parking offerings, and a longer grace period in which to pay property taxes.

Let's now look at our Downtown. For the most part, the occupancy rate has remained a strong 92-94%. In fact, one-third of the retailers in our downtown have been in business for 25 or more years. Just a few months ago, our downtown was named a Great Place in New Jersey by the American Planning Association-New Jersey Chapter. According to the Association, "It's no accident that Downtown Westfield has continued to thrive even in times when other downtowns have struggled."

Let's look at our residents who choose to make Westfield their home. Property values are strong. Based on the volume of building permits applied for in 2013, Westfield homeowners are investing heavily in their properties. The attractiveness of the various neighborhoods certainly reflects this investment. And according to local real estate professionals, the housing market in Westfield is very strong, described by some as "hot"! Movoto Real Estate, a national brokerage, ranked Westfield #3 in its top ten Best Cities in New Jersey, heaping praise on our low crime rate, beautiful parks, successful schools, top home values, and healthy median household income.

To keep Westfield Strong, the Town has made significant investments via its capital budget in public safety equipment and infrastructure improvements to our roads and parking facilities.

- This past September, the Town dedicated its new, custom-designed multifunctional 100 foot aerial ladder fire truck that was placed into service to replace the truck that was damaged during Hurricane Irene and was at the end of its useful life.
- As a result of our experience with Hurricane Irene and Superstorm Sandy, the absolute need for an uninterruptible power source and continuous communications capabilities was evident. To safeguard its residents, the Town invested in a mobile command center and portable power unit to ensure that there is never an interruption in the delivery of emergency services. Both pieces of equipment have already been put in use at various emergency scenes and public events.
- In the aftermath of Superstorm Sandy, the Public Works building, including its telephones and its gasoline pumps, lost power for many days. As part of our grant seeking efforts, the Town of Westfield was awarded a \$75,000 grant from the State to purchase and install a back-up generator for its Public Works facility.

Let me reinforce that to keep Westfield Strong, public safety is always at the forefront of our priorities. It is imperative that residents be assured the Town continues to find ways to protect and serve them at all times.

Regarding infrastructure improvements, in the past year:

- The Town completed 23 road paving projects, including major improvement projects in the heart of the downtown.
- In addition, the complete reconstruction of Parking lot #4 (behind Baron's Drugs) was completed, including new curbing, new landscaping, new

islands, drainage improvements, and new paving. An added benefit was the addition of more parking spaces.

Westfield is a strong community. We accept our challenges as opportunities. While I am confident that we have succeeded in setting the foundation for long-term fiscal sustainability while preserving municipal services and fulfilling statutory functions, we will not rest on our laurels and will continue to implement efficiencies, contain costs, seek revenue enhancements, share services, and limit debt.

I am energized and very excited about the next four years. There are several projects in the works that I am eager to get off the ground.

- First, through our grant seeking efforts, Westfield was awarded a \$20,000 Sustainable Jersey grant to provide vital capital funds to further expand recycling opportunities at the Conservation Center.
- Second, new pay stations are now available that will be simpler and more convenient for residents and visitors to use. They are on order and will replace the old ones that have outlived their useful life.
- Third, the Green Team has been working very hard to acquire the points necessary to advance from a participant in Sustainable Jersey to certification, which I look forward to happening this year. In addition, working in conjunction with the Audubon Society, the Green Team will be promoting a new initiative, “Rescaping the Suburbs”. More information on this exciting and environmentally friendly endeavor is forthcoming.

- Last, but certainly not least, I am very eager to launch my Mayor's Safety Academy in 2014. Over the years listening to the concerns and ideas of residents, working with our public safety officials, fellow Council members, outside consultants, and liability insurance representatives, and analyzing reports and data, it is clear that many household, vehicle, and pedestrian accidents are preventable - and educating the public is key. Please stay tuned to our website and TV36 as this initiative develops.

In closing, I want to reassure everyone that there is much to be optimistic about in our future because, as I have said many times before, Westfield is not just about what the local government is doing. It's really about the people who, with great pride, call Westfield their hometown. It's about the parents who choose to raise their families here. It's about the close knit neighborhoods that hold annual block parties. It's about the abundance of recreational, educational, cultural and spiritual opportunities. It's about the hundreds if not thousands of volunteers who give so generously of their time and talents to coach and guide our youngsters in sports, scouting, and other extracurricular activities. It's about our senior citizens, many of whom contributed to making Westfield what it is today and now stay to be close to the families they have raised. I have great faith in the strength of the Town because I have great faith in the strength of its people.

Thank you.

#### **REPORTS OF STANDING COMMITTEES:**

##### **Finance Policy Committee**

The following resolutions, introduced by Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilwoman Neylan were unanimously adopted.

(1) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TREASURER'S ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by the Treasurer's electronic fund transfer or by checks signed by the Mayor, Town Clerk and Treasurer.

2. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TRUST ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

3. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, POLICE DEPARTMENT ACCOUNT," and the custodian shall be David Wayman, Chief of Police. All disbursements shall be made by checks signed by the Chief of Police Department.

4. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, ENGINEER'S ACCOUNT," and the custodian shall be Kris McAloon. All disbursements shall be made by checks signed by the Town Engineer.

5. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that Bank of America shall be the depository for "TOWN OF WESTFIELD, TREASURER'S ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer or by the Treasurer's electronic fund transfer.

6. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, SWIMMING POOL CAPITAL FUND,"

and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer.

7. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, CONSTRUCTION OFFICIAL ACCOUNT," and the custodian shall be Steven Freedman. All disbursements shall be made by checks signed by the Construction Official.

8. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR OF TAXES," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector or by the Treasurer's electronic fund transfer.

9. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR REDEMPTION ACCOUNT," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector.

10. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR PREMIUM ACCOUNT," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector.

11. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TOWN CLERK ACCOUNT," and the custodian shall be Claire J. Gray. All disbursements shall be made by checks signed by the Town Clerk.

12. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose, and

NOW, THEREFORE, BE IT RESOLVED that Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, FIRE DEPARTMENT VIOLATIONS ACCOUNT," and the custodian shall be Daniel J. Kelly. All disbursements shall be made by checks signed by the Chief of the Fire Department.

13. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, FIRE DEPARTMENT PERMIT ACCOUNT," and the custodian shall be Daniel J. Kelly. All disbursements shall be made by checks signed by the Chief of the Fire Department.

14. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, CAPITAL ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and the Treasurer or by the Treasurer's electronic fund transfer.

15. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, PUBLIC ASSISTANCE ACCOUNT I," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer or by the Treasurer's electronic fund transfer.

16. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, PAYROLL ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Treasurer or by the Treasurer's electronic fund transfer.

17. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, SWIMMING POOL OPERATING ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer or by the Treasurer's electronic fund transfer.

18 WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, BOARD OF HEALTH ACCOUNT," and the custodian shall be Megan Avallone. All disbursements shall be made by checks signed by the Health Officer.

19 WHEREAS, R.S. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that Bank of America shall be the depository for "THE WESTFIELD MEMORIAL LIBRARY BOOK SALES," and the custodians shall be Philip Israel. All disbursements shall be made by checks signed by the Library Director or the Assistant Library Director.

20. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "WESTFIELD MUNICIPAL COURT," and the custodians shall be Carol Salvaggio or Anne M. Margeotes. All disbursements shall be made by checks signed by Court Clerk or the Deputy Court Clerk.

21. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COMMUNITY DEVELOPMENT BLOCK GRANT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer.

22. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, DOG LICENSE ACCOUNT," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer.

23. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for "WESTFIELD MEMORIAL LIBRARY- FINES AND FEES," and the



custodians shall be Philip Israel. All disbursements shall be made by checks signed by the Library Director or the Assistant Library Director.

24. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, RECREATION ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation.

25. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, SWIMMING POOL UTILITY COLLECTOR," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation.

26. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, SKI ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation.

27. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose.

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, ESCROW ACCOUNTS," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by the Town Treasurer.

28. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose.

NOW, THEREFORE, BE IT RESOLVED that the Two River Bank shall be the depository of the "TOWN OF WESTFIELD, GROWTH SHARE ACCOUNT" and the custodian shall be Liy-Huei L. Tsai, Chief Financial Officer. All disbursements shall be made by checks signed by the Chief Financial Officer.

29. WHEREAS, R.S. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Two River Bank shall be the depository for the "TOWN OF WESTFIELD, PARKING METER COIN ACCOUNT" and the custodian shall be David Wayman, Chief of Police. All disbursements shall be made by checks signed by the Chief of Police Department.

30. WHEREAS, R.S.40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR OF SEWER FEES", and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector or by the Treasurer's electronic fund transfer.

31. WHEREAS, N.J. S.A. 17:9-41, 1970 provides that deposits of public funds of New Jersey governmental units held by New Jersey banks shall be secured by collateral held in safekeeping as set forth in an agreement between the Commissioner of Banking of New Jersey and the Federal Reserve Bank dated November 30, 1970, and

WHEREAS, the Town of Westfield may purchase certificates of deposit issued by New Jersey banks due not more than one (1) year from date of purchase, or date of issue, whichever shall be greater;

WHEREAS, the Governmental Unit Deposit Protection Act Notification of eligibility for the following banks had been filed with the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED that the following banks shall be the depositories for the "TOWN OF WESTFIELD, CERTIFICATE OF DEPOSIT / INVESTMENT ACCOUNTS," and the custodian shall be Liy-Huei L. Tsai, Chief Financial Officer:

Wells Fargo Bank  
PNC Bank  
Valley National Bank  
Bank of America  
TD Bank  
State of N.J. Cash Management Fund  
Two River Bank  
Capital One Bank

32. RESOLVED that the following banks shall be authorized depositories for the "TOWN OF WESTFIELD, POOL UTILITY INVESTMENT ACCOUNTS," and the custodian shall be Liy-Huei L. Tsai, Chief Financial Officer:

Wells Fargo Bank  
PNC Bank  
Valley National Bank

Bank of America  
TD Bank  
State of N.J. Cash Management Fund  
Capital One Bank

33. WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, LAW ENFORCEMENT ACCOUNTS," and the custodian shall be Liy-Huei L. Tsai. All disbursements shall be made by checks signed by Liy-Huei L Tsai, Chief Financial Officer.

34. RESOLVED that the Treasurer be authorized to draw pay checks bi-weekly retroactive to January 1, 2014 to the regular salaried employees of the Town of Westfield at the rates approved by Mayor and Council.

35. RESOLVED that the Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of the delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes during the year 2014 to be calculated from the date the tax was payable until the date of actual payment, and

BE IT FURTHER RESOLVED that the Collector of Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2014 until the date of actual payment, and

BE IT FURTHER RESOLVED that the grace period of ten (10) calendar days will be allowed within an installment of taxes, assessments and sewer fees may be received without additional interest as provided by Chapter 105, Laws of 1965.

(2) RESOLVED that warrants in the amount of \$100.00 each be drawn to the following officials and charge same to Petty Cash account:

Joan Thermann, Executive Assistant  
David Wayman, Police Chief  
Philip Israel, Library Director

The following resolution, introduced by Councilman Della Fera, seconded by Councilman LoGrippo was adopted by the following roll call vote:

(3) WHEREAS, there exists a need for the Annual Audit of the accounts of the Town of Westfield in accordance with N.J.S.A. 40A:5-4, and

WHEREAS, U.S. OMB Circular 133 and State of New Jersey OMB Circular 98-07 mandate that there be an audit of Federal and State Programs; and

WHEREAS, on July 26, 1996 the Town of Westfield created a Deferred Compensation Plan, which is offered to all employees, pursuant to Sections 403 (b) and 457 of the Internal Revenue Code; and

WHEREAS, pursuant to N.J.A.C. 5:37-10 the Financial Statements of such Deferred Compensation Plan must be reviewed; and

WHEREAS, pursuant to rule 15c2-12(B)(5) of the Securities and Exchange Commission a Preparation of the Secondary Market Disclosure Report must be filed for year ending December 31, 2013; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has a need to acquire auditing services and has determined to do so without public advertising and without public solicitation of bids pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney & Company has not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk.

NOW THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enter into a contract with the firm of Suplee, Clooney & Company, Registered Municipal Accountants and Certified Public Accountants, for the following services.
  - (a) To perform the statutory audit of the accounts of the Town of Westfield for the year ending December 31, 2013, in accordance with the regulations of the Division of Local Government Services,

Department of Community Affairs of the State of New Jersey; an audit of Federal and State Programs in accordance with U.S. OMB Circular 133 and State of New Jersey OMB Circular 98-07 and Assistance with Preparation of the calendar year 2014 Financial Statement, the Annual Debt Statement and calendar year 2014 Fiscal Year Operating and Capital Budgets, for a fee not to exceed \$63,825.00; and

- (b) To perform the Review Report on the Town of Westfield Deferred Compensation Plan for an additional fee of \$1,200.00; and
  - (c) To perform a preparation Secondary Market Disclosure Report for the Year Ended December 31, 2014 for an additional fee of \$4,000.00.
- 2. Total fee for the year will be \$69,025.00 with said expenditure charged to the audit account.
  - 3. The Business Disclosure Entity Certification and the Determination of Value received from Suplee, Clooney & Company be placed on file along with this resolution.
  - 4. This contract is awarded without competitive bidding as "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because N.J.S.A. 40A:5-11 exempts from public bidding any work performed pursuant to N.J.S.A. 40A:5-4.
  - 5. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action taken in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena  
Neylan  
LoGrippo  
Foerst  
Della Fera  
Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

Nays:

Absent:

The following resolution, introduced by Councilman Della Fera, seconded by Councilwoman Kimmins was adopted by the following roll call vote:

(4) WHEREAS, a need exists for the Town of Westfield to retain professional legal services in conjunction with the services provided by Frederick T. Danser III, Esq., in his capacity as labor counsel to the Town; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed legal services for labor, employment and personnel services and related litigation and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Frederick T. Danser III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enter into a contract with Apruzzese McDermott Mastro & Murphy in conjunction with the services provided by Frederick T. Danser III, Esq., as labor counsel to provide legal services to the Town of Westfield for labor, employment and personnel matters and related litigation.
2. The term of the contract will be for one (1) year ending December 31, 2014.
3. The estimated total fees for the year shall not exceed \$75,000.00 with this expenditure charged to the Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value for Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy be placed on file along with this resolution.

5. This contract is awarded without public advertising for bids as “Professional Services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Danser and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena

Nays:

Absent:

Neylan  
LoGrippto  
Foerst  
Della Fera  
Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

The following resolution, introduced by Councilman Della Fera, seconded by Councilman Arena was adopted by the following roll call vote:

**(5)** WHEREAS, a need exists for the Town of Westfield to retain the professional legal services of a consultant and negotiator in connection with collective bargaining between the Town and its representative employee organizations; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has a need to acquire the professional legal services of a consultant and negotiator in connection with collective bargaining and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Frederick T. Danser III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the

previous one year, and that the contract will prohibit Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contact, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enter into a contract with Frederick T. Danser III, Esq., to engage him in the representation of the Town of Westfield in labor negotiations with representative employee organizations.
2. The term of the contract will be for one (1) year ending December 31, 2014.
3. The Total fee for the year will be \$33,000.00 with this expenditure charged to Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value of Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Danser and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena  
Neylan  
LoGrippo  
Foerst  
Della Fera  
Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

Nays:

Absent:

The following resolution, introduced by Councilman Della Fera, seconded by Councilman Loughlin was adopted by the following roll call vote:



(6) WHEREAS, a need exists for the Town of Westfield to retain professional legal services of a general legal counsel in furtherance and in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed professional legal services in conjunction with the services provided by the Town Attorney without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the period January 1, 2014 through December 31, 2014; and

WHEREAS, Russell M. Finestein, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Russell M. Finestein, Esq. and Finestein & Malloy, LLC have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year which would bar the award of the contract, and that the contract will prohibit Russell M. Finestein, Esq. and Finestein & Malloy, LLC from making reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Russell M. Finestein, Esq. to engage him to render legal services in furtherance of the ordinary duties of the Town Attorney for the Town of Westfield as described in the Code of the Town of Westfield.
2. The term of the contract will begin on January 1, 2014 and will end December 31, 2014.
3. The estimated total fees for ordinary duties performed by the Town Attorney (and attorney's affiliated with Finestein & Malloy, LLC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall be \$49,500.00 with this expenditure charged to the Legal Account.

4. The Business Disclosure Entity Certification and the Determination of Value for Russell M. Finestein, Esq. and Finestein & Malloy, LLC shall be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Finestein and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena  
Neylan  
LoGrippo  
Foerst  
Della Fera  
Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

Nays:

Absent:

The following resolution, introduced by Councilman Della Fera, seconded by Councilman LoGrippo was adopted by the following roll call vote:

(7) WHEREAS, a need exists for the Town of Westfield to retain professional legal services of Finestein & Malloy, LLC in furtherance and in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed professional legal services in conjunction with the services provided by the Town Attorney without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the period January 1, 2014 through December 31, 2014; and

WHEREAS, Russell M. Finestein, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Russell M. Finestein, Esq. and Finestein & Malloy, LLC have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year which would bar the award of the contract, and that the contract will prohibit Russell M. Finestein, Esq. and Finestein & Malloy, LLC from making reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Finestein & Malloy, LLC to engage such firm to render legal services in furtherance of the extraordinary duties of the Town Attorney for the Town of Westfield.
2. The term of the contract will begin on January 1, 2014 and will end December 31, 2014.
3. The estimated total fees for extraordinary duties performed by the Town Attorney (and attorney's affiliated with Finestein & Malloy, LLC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall not exceed \$130,000.00 with this expenditure charged to the Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value for Russell M. Finestein, Esq. and Finestein & Malloy, LLC shall be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Finestein and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena  
Neylan  
LoGripippo  
Foerst  
Della Fera

Nays:

Absent:

Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

The following resolution, introduced by Councilman Della Fera, seconded by Councilwoman Kimmins was adopted by the following roll call vote:

**(8)** WHEREAS, a need exists for the Town of Westfield to retain professional legal services to act as special affordable housing counsel; and

WHEREAS, the Town has elected to retain Jonathan Drill of Stickel, Koenig, Sullivan & Drill to serve as special affordable housing counsel to the Town; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed legal service and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is until December 31, 2014; and

WHEREAS, Jonathan Drill, has completed and submitted a Business Entity Disclosure Certification which certifies that Jonathan Drill and Stickel, Koenig, Sullivan & Drill have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Jonathan Drill and Stickel, Koenig, Sullivan & Drill from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk; and

WHEREAS, the expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Stickel, Koenig, Sullivan & Drill in conjunction with the services provided by Jonathan Drill, as special affordable housing counsel to provide legal services to the Town of Westfield.
2. The term of the contract will be for a period ending December 31, 2014.
3. The estimated total fees for the year shall not exceed \$25,000.00 with this expenditure charged to the appropriate account.
4. The Business Disclosure Entity Certification and the Determination of Value for Jonathan Drill and Stickel, Koenig, Sullivan & Drill be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature.
6. A copy of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas: Arena  
Neylan  
LoGrippo  
Foerst  
Della Fera  
Kimmins  
Oliveira  
Loughlin  
Mayor Skibitsky

Nays:

Absent:

The following resolution, introduced by Councilman Della Fera, seconded by Councilwoman Neylan was adopted by the following roll call vote:

**(9)** WHEREAS, a need exists for the Town of Westfield to continue to retain professional legal services for various legal matters as determined by the Town Administrator and Mayor, and

WHEREAS, the Town has elected to continue to retain SNR Denton US LLP of which Robert W. Cockren is a member to serve as special counsel in various legal matters in which the best interests of the Town will be best served due to the familiarity of Mr. Cockren with said matters and where legal costs to the Town will be most efficiently managed in avoiding costs for new counsel to become familiar with such matters, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed legal service and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is until March 31, 2014; and

WHEREAS, Robert W. Cockren, has completed and submitted a Business Entity Disclosure Certification which certifies that Robert W. Cockren and SNR Denton, US LLP have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Robert W. Cockren and SNR Denton, US LLP from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk; and

WHEREAS, the expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with SNR Denton, US LLP, as special counsel to provide legal services to the Town of Westfield for various legal matters as determined by the Mayor and Town Administrator.
2. The term of the contract will be for the period ending March 31, 2014.
3. The estimated total fees for the year shall not exceed \$20,000.00 for services with the expenditure charged to the Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value for Robert W. Cockren and SNR Denton, US LLP shall be placed on file along with this Resolution.
5. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature.

6. A copy of this Resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Yeas:	Arena	Nays:	Absent:
	Neylan		
	LoGrippo		
	Foerst		
	Della Fera		
	Kimmins		
	Oliveira		
	Loughlin		
	Mayor Skibitsky		

The following resolution, introduced by Councilman Della Fera, seconded by Councilman LoGrippo was adopted by the following roll call vote:

**(10)** WHEREAS, the Town of Westfield is a member of Sustainable Jersey™ which is a certification and incentive program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term; and

WHEREAS, the Town Council of the Town of Westfield is committed to continuing to develop strategies that will reduce our impact on the environment both collectively and individually so that we might preserve our natural resources for the citizens we serve now, and in the future; and

WHEREAS, the Town Council of the Town of Westfield wishes to continue to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, as part of its participation in the Sustainable Jersey™ program and in an effort to continue to focus attention on “Green” issues, the Town Council reaffirms its establishment of its Green Team comprised of elected officials, municipal staff, members of community boards and commissions and Town residents to continue to lead and coordinate the sustainability activities of the community;

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Westfield that we do hereby appoint the following fifteen members to the Green Team:

<u>NAME</u>	<u>AFFILIATION</u>
Mayor Andrew Skibitsky	Westfield Town Council
Richard Mattessich	Westfield Board of Education

Bill Heinbokel	Westfield Board of Adjustment
Tom Walsh	Westfield Planning Board
Dr. Larry Budnick	Westfield Regional Board of Health
Peter Echausse	Westfield Recreation Commission
Shari Cohen	Westfield Tree Preservation Commission
Dominic Verdic	Downtown Westfield Corporation
Stacy Weiman	Westfield Library Board of Trustees
Patricia Brentano Bramnick	Citizen Representative
Medea Villere	Citizen Representative
Dominic DiGiorgio	Citizen Representative
James Gildea	Town Administrator (Liaison)
Kris McAloon	Town Engineer (Liaison)
Bill Drew	Town Planner (Liaison)

Yeas:	Arena	Nays:	Absent:
	Neylan		
	LoGrippe		
	Foerst		
	Della Fera		
	Kimmins		
	Oliveira		
	Loughlin		
	Mayor Skibitsky		

The following resolution, introduced by Councilman Della Fera, seconded by Councilman Loughlin was adopted by the following roll call vote with Councilman Loughlin abstaining on the Board of Adjustment:

**(11)** WHEREAS, Section 40A: 4-19 of the Local Budget Act provides that (where any contract, commitments or payments are to be made prior to the final adoption of the 2014 budget) temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first thirty days of January, 2014, and

WHEREAS, twenty-six and one quarter of the total appropriations in the 2013 budget exclusive of any appropriations made for debt service, capital improvement fund and public assistance is sum of **\$13,199,013.25**.

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

Administrative & Executive - Salaries & Wages	68,000.00
Administrative & Executive - Other Expenses	50,000.00
Community TV 36 - Service Other Expenses	4,000.00



Town Clerk - Salaries & Wages	40,000.00
Town Clerk - Other Expenses	5,000.00
Financial Administration - Salaries & Wages	62,000.00
Financial Administration - Other Expenses	4,000.00
Assessment of Taxes - Salaries & Wages	36,000.00
Assessment of Taxes - Other Expenses	4,000.00
Collection of Taxes - Salaries & Wages	36,000.00
Collection of Taxes - Other Expenses	3,000.00
Legal Services & Costs - Other Expenses	70,000.00
Municipal Court - Salaries & Wages	95,000.00
Municipal Court - Other Expenses	10,000.00
Municipal Prosecutor - Salaries & Wages	9,000.00
Public Defender - Salaries & Wages	4,000.00
Engineering Services & Costs - Salaries & Wages	185,000.00
Public Works - Salaries & Wages	750,000.00
Public Works - Other Expenses	450,000.00
Public Buildings & Grounds - Other Expenses	23,000.00
Planning Board - Other Expenses	6,000.00
Board of Adjustment - Other Expenses	6,000.00
Group Insurance Plan for Employees	1,400,000.00
Other Insurance Premiums	480,000.00
Fire - Salaries & Wages	950,000.00
Fire - Other Expenses	40,000.00
Fire Official - Salaries & Wages	44,000.00
Fire Official - Other Expenses	1,500.00
Hydrant Service	130,000.00
Alliance on Alcoholism & Drug Abuse	4,000.00
Parking Administration - Salaries & Wages	60,000.00
Police - Salaries & Wages	1,400,000.00
Police - Other Expenses	80,000.00
Crossing Guard - Salaries & Wages	120,000.00
Inspection of Buildings - Salaries & Wages	105,000.00
Inspection of Buildings - Other Expenses	7,000.00
Civil Defense & Disaster Control - Other Expenses	500.00
Street Lighting	85,000.00
Electricity	40,000.00
Telephone	40,000.00
Water	2,000.00
Heating Gas	20,000.00
Gasoline	180,000.00
Board of Health - Salaries & Wages	160,000.00
Board of Health - Other Expenses	8,000.00
Board of Health - Contr. Service - Other Expenses	15,000.00
Recreation - Salaries & Wages	25,000.00
Maintenance of Free Public Library	600,000.00
Social Security System (OASI)	185,000.00
Rahway Valley Sewerage Authority	1,800,000.00
Dog Regulation	20,000.00
PFRS	1,914,354.00
Debt Service - Interest on Bond	184,721.25

Debt Service - Principal	125,000.00
PERS	874,068.00
<b>Sub-Total:</b>	<u>13,020,143.25</u>

Swimming Pool Utility:	
Operating Salaries & Wages	75,000.00
Operating Other Expenses	50,000.00
Social Security (OASI)	5,000.00
Interest on Bond	48,870.00

**TOTAL TEMPORARY APPROPRIATIONS: \$13,199,013.25**

Yeas:	Arena	Nays:	Absent:
	Neylan		
	LoGrippo		
	Foerst		
	Della Fera		
	Kimmins		
	Oliveira		
	Loughlin		
	Mayor Skibitsky		

A motion to adjourn by Councilman Arena, seconded by Councilman Oliveira, at 7:44 p.m., was unanimously carried.

Claire J. Gray  
Town Clerk